



JAMES E. JOHNSON
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MICHAEL PANTALONY
Tel.: (212) 356-8761
mpantalo@law.nyc.gov

December 23, 2019

By ECF

Hon. Jesse M. Furman, U.S.D.J.
United States District Court
Southern District of New York
40 Center Street, Room 2202
New York, NY 10007

Re: *V.B., et al. v. NYC Dep't of Educ., et al.*, 19-cv-11226 (JMF)

Dear Judge Furman:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel James E. Johnson, newly assigned attorney for Defendants in the above-referenced action wherein Plaintiff seeks relief for alleged violations under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, and Section 504 of the Rehabilitation Act, 29 U.S.C. §701. I write to respectfully request: (1) a 17-day extension of time for the parties to submit a joint letter pursuant to the Court's Order dated December 10, 2019 (ECF No. 10) from December 24, 2019 to January 10, 2020; and (2) a 30-day extension of Defendants' time to respond to the Complaint from January 2, 2020 to February 3, 2020.

Pursuant to Your Honor's Order dated December 10, 2019, the parties are required to submit a joint letter on whether there is any need for discovery or an initial conference within two weeks of the date of the Order—or by tomorrow, December 24, 2019. Meanwhile, the Complaint was served on December 11, 2019, making a response due January 2, 2020. This is the first request for an extension of time to submit a joint letter and respond to the Complaint. The requested extensions would provide Defendants with sufficient time to obtain the files, review the underlying administrative records of the various impartial due process hearings implicated in the Complaint, and discuss with Plaintiff whether discovery and an initial conference are needed and whether settlement is possible. Additional time is needed because the matter was only assigned to me late on Friday afternoon, December 20, 2019, and I will be out of the office beginning tomorrow for the Christmas Holiday. I have communicated with Elisa Hyman, Esq., and Erin O'Connor, Esq., and Plaintiff consents to these requests.

Thank you for considering these two requests. I apologize for the lateness of the first request and any resulting inconvenience.

Respectfully submitted,

/s/
Michael Pantalony

cc: Elisa Hyman (via ECF)
Attorney for Plaintiff

The deadline to file the joint letter is hereby EXTENDED, nunc pro tunc, to January 10, 2020. The deadline to respond to the complaint is also EXTENDED to February 3, 2020. The Clerk of Court is directed to terminate ECF No. 16. SO ORDERED.



December 30, 2019